

REMARKS

Claims 14-35 are pending in this application. Claim 29 has been amended to correct an error of claim dependency. No new matter is added by this amendment.

I. Rejection Under 35 U.S.C. Section 112.

The Examiner has rejected claim 28 for containing a term that lacks antecedent basis. In view of the amendment to correct the error in claim 28, this rejection is no longer applicable. Its reconsideration and withdrawal is requested.

II. Obviousness-type Double Patenting rejections

The Examiner has issued three double patenting rejections on the grounds of nonstatutory obviousness-type double patenting:

(i) Rejection of claims 14-35 as being unpatentable over claims 1-8 of U.S. Patent No. 6,669,929 in view of U.S. Patent No. 3,944,661.

(ii) Rejection of claims 14-35 as being unpatentable over claims 1-28, 44; and 46 of United States Patent Application Serial No. 10/739,803 in view of Zerbe; and

(iii) Rejection of claims 14-35 as being unpatentable over claims 1-41 and 44-45 of United States Patent Application Serial No. 10/860,377 in view of Zerbe.

The applicant has submitted herewith a Terminal Disclaimer and Statement of Common Ownership in each. Accordingly, it is requested that the Examiner reconsider and withdraw the rejection.

CONCLUSION

It is submitted that claims 14-35 describe patentable subject matter and are in a form for allowance.

Reconsideration and allowance of the claim 14-35 at the earliest opportunity is respectfully requested.

Respectfully submitted,

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